

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.: 10/582,392  
Filing Date: June 28, 2007  
Inventor(s): Thomas N. Horsky et al.  
Group Art Unit: 2821  
Examiner Name: Souw, Bernard E.  
Attorney Docket No.: 211843-00044  
Title: Method and Apparatus for Extending  
Equipment Uptime in Ion Implantation  
Confirmation No.: 3848

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION**

Sir:

This letter is directed to an issue raised subsequent to the Notice of Allowance mailed on June 2, 2010 and passed on by Examiner Souw in a voicemail on July 26, 2010. In order to clarify the record, this written communication is directed to that issue.

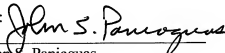
Specifically, as communicated by Examiner Souw, an issue was raised why a signed declaration by Wade Krull was filed in the above identified case. Apparently, the reference is to the Declaration filed on June 28, 2007 ("the June 2007 Declaration"). That Declaration included Thomas N. Horsky, Robert W. Milgate III, George P Sacco Jr. , Dale C. Jacobson and Wade A. Krull. Mr. Krull was listed on the last page, i.e. page 4 of the Declaration. An earlier declaration was filed on March 14, 2007 ("the March 2007 Declaration"). The March 2007 Declaration inadvertently did not include a fourth page which listed Mr. Krull. After the filing of the March 2007 Declaration, the undersigned became aware of the fact that the the March 2007 Declaration did not include Mr. Krull.

In response to the question about Mr Krull's declaration, the instant application is the national stage of International Patent Application No. PCT/US04/41525 ("the PCT application"). A copy of the cover page of the PCT application is enclosed, which illustrates that Mr. Krull is a co-inventor with Thomas N. Horsky, Robert W. Milgate III, George P Sacco Jr. and Dale C. Jacobson. Moreover, the Transmittal letter filed with the application on June 9, 2006 illustrates on Page 1 that Mr. Krull is an applicant along with the other co-inventors mentioned above. Page 2 of the Transmittal authorized the Commissioner to charge any additional fees to the undersigned's Deposit Account 50-1214.

The Notice of Missing Requirements was mailed on February 13, 2007. One of the missing requirements was a signed Declaration.. The Notice indicated a deadline of 2 months to provide the missing requirements. . As such, the deadline for submitting the missing requirements was April 13, 2007. Mr. Krull signed the Declaration on June 7, 2007, well past the original deadline. In as much as a correct Declaration that included Mr. Krull was submitted after the original deadline, a three month extension was charged to the undersigned's Deposit Account No. 50-1214 . Indeed, the fee was paid. A copy of an Electronic Acknowledgement Receipt and an Electronic Patent Application Fee Transmittal are enclosed which indicate a fee of \$1020 was charged to the undersigned's Deposit Account for a 3 month extension fee for the late filing of the declaration that included Mr. Krull.

As mentioned above, Mr. Krull is identified as an applicant, i.e inventor, in the PCT application. During the national stage, the undersigned did NOT request that Mr. Krull be removed as an inventor for any reason. Thus, it is clear that the filing of a Declaration that included Mr Krull was proper and that Mr. Krull continues to be an inventor in the national phase.

Katten Muchin Rosenman LLP

By:   
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WO 2005/059942 A2

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	1921741
<b>Application Number:</b>	10582392
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	3848
<b>Title of Invention:</b>	Method And Apparatus For Extending Equipment Uptime In Ion Implantation
<b>First Named Inventor/Applicant Name:</b>	Thomas N. Horsky
<b>Customer Number:</b>	27160
<b>Filer:</b>	John S. Paniaguas/Anna Franz
<b>Filer Authorized By:</b>	John S. Paniaguas
<b>Attorney Docket Number:</b>	211843-00044
<b>Receipt Date:</b>	28-JUN-2007
<b>Filing Date:</b>	14-MAR-2007
<b>Time Stamp:</b>	16:05:42
<b>Application Type:</b>	U.S. National Stage under 35 USC 371

### Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$1020
RAM confirmation Number	1082
Deposit Account	501214
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

### File Listing:

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	10582392			
<b>Filing Date:</b>	14-Mar-2007			
<b>Title of Invention:</b>	Method And Apparatus For Extending Equipment Uptime In Ion Implantation			
<b>First Named Inventor/Applicant Name:</b>	Thomas N. Horsky			
<b>Filer:</b>	John S. Paniaguas/Anna Franz			
<b>Attorney Docket Number:</b>	211843-00044			
Filed as Large Entity				
<b>U.S. National Stage under 35 USC 371 Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
Extension - 3 months with \$0 paid	1253	1	1020	1020